

# **EXHIBIT C**



Making It Right



JOHN F. SALTER  
john@BarnesLawGroup.com  
Member of the State Bar of Georgia

November 20, 2017

Michael Ian Shamos, Ph.D.  
605 Devonshire Street  
Pittsburgh, PA 15213

**Re: Curling, et al. v. Brian Kemp, et al.  
USDC NDGA 1:17-CV-2989-AT**

Dear Dr. Shamos:

This letter reflects the Agreement by which the Barnes Law Group (the "BLG"), on behalf of its clients, the Secretary of State and State Election Board and its members ("Clients"), is retaining you to serve as a consulting expert relating to the use of Direct Recording Electronic (DRE) machines for voting.

## **SUBJECT OF ENGAGEMENT**

You understand that the scope of your services, and the amount of your time required in this matter, will depend on the needs of BLG and/or Clients, and will vary over time. You are retained to assist and consult with us in responding to claims that DRE machines are unreliable and that they do not provide a means by which voters' ballots remain secret. Currently, it is not anticipated that you would draft an expert report consistent with the requirements of Rule 26(a)(2)(B), Fed. R. Civ. Proc., nor provide testimony at deposition or trial and we will not disclose you as a testifying expert without your prior consent.

You understand that your status under this Agreement will be that of an independent contractor and not that of an employee of the BLG or the Clients. You also understand that this means the BLG will not

Michael Ian Shamos, Ph.D.

November 20, 2017

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withhold or pay Social Security taxes, unemployment insurance, or income taxes on your behalf.

You assert that you have the authority to engage in this Agreement and that no conflict of interest will be created by your undertakings herein, throughout the pendency of this engagement. You have been advised that our adversaries in this matter are those individuals listed as Plaintiffs or counsel for Plaintiffs on the docket sheet attached hereto as Exhibit 1 ("Adversaries"), and that you know of no reason why you cannot advise Clients or BLG with respect to this matter, and that during the pendency of this engagement, you will not take on any matter for Adversary.

Further, you represent that you have not been convicted or prosecuted for a crime, nor have you been charged with academic misconduct.

## CONFIDENTIALITY

You understand that, as an expert consultant and/or witness, all communications between you and Clients and/or you and BLG, whether oral or written, are entirely confidential. You understand that you are not at liberty to share the substance or content of these communications with any person unless expressly authorized by us beforehand in writing. You also understand that the very fact that you are an expert consultant and/or witness to Clients in this matter is, at this point, itself highly confidential, and is not a subject which you are authorized to share with other persons without prior consent from us. You agree to immediately notify one of the attorneys for BLG in the event a potentially adverse party in this matter contacts you. You also agree to notify BLG in the event you receive a request to examine, inspect, or copy any document or record obtained during the course of this engagement.

Michael Ian Shamos, Ph.D.

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Should an Adversary or its counsel become aware of your engagement, you may list this matter on your CV in a manner similar to the other matters listed therein.

## COMPENSATION

We agree to compensate you at your hourly rate of \$600 per hour. We will pay for reasonable out-of-pocket costs incurred in connection with the services provided on this engagement (e.g., airfare, hotel, car rental, copying of documents, telephone calls, postage and shipping, etc.) in accordance with the regulations of the Georgia State Auditor. We understand that you charge \$300 per hour for non-productive travel. We understand that invoices will be rendered by Expert Engagements, LLC, 4415 Fifth Avenue, Suite 302, Pittsburgh, PA 15213, federal tax ID 20-0219102, and that payments for your services should be made to that entity. You agree to keep us informed of the number of hours you expend on this project at regular intervals by submitting invoices at least after every twenty (20) hours of compensable work.

You shall not be required to give any live testimony, either at deposition, hearing or trial, unless payment has been made for any work product about which you may be questioned. In the event that any of your prior invoices remains unpaid sixty (60) or more days after being received by the AG, you may suspend work, until all outstanding invoices have been paid.

## DOCUMENT MAINTENANCE, OWNERSHIP

We understand that consultants or experts in your field may have document maintenance, retention or destruction practices or policies. Under no circumstances are you to understand that anyone associated with BLG or Clients are asking you to deviate from the practices or policies that you or others in your area of consultancy or expertise have adopted, especially with respect to any documents that you generate or receive in this matter. You also understand that, as a result or in the course of your work for BLG or the Clients, you may generate or

Michael Ian Shamos, Ph.D.

November 20, 2017

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prepare a report or reports, as requested by BLG. You understand that BLG or the Clients have all right, title and interest to any such report or reports, and to use any such report or reports as BLG or the Clients see fit.

## TERMINATION

This letter of Engagement may be terminated (and with it the obligations of BLG hereunder) at any time upon notice given by the BLG. Upon any such termination, you shall provide BLG, upon request, with all data collected, including but not limited to written forms and electronic recording of data, and shall provide all drafts in progress. Also upon termination, BLG will promptly pay you for any work and expenses incurred but not yet compensated.

We very much look forward to working with you in this matter.

Very truly yours,

  
JOHN F. SALTER

Read and Agreed To:

Date: Dec. 23, 2017

  
Michael Ian Shamos, Ph.D.

*Barnes*  
LAW GROUP

# **EXHIBIT 1**



4months,CLOSED,STAY

**U.S. District Court  
Northern District of Georgia (Atlanta)  
CIVIL DOCKET FOR CASE #: 1:17-cv-02989-AT**

Curling et al v. Kemp et al  
Assigned to: Judge Amy Totenberg  
Case in other court: Superior Court of Fulton County,  
2017cv292233  
Cause: 28:1443(1)Removal from State Court - Civil Rights

Date Filed: 08/08/2017  
Date Terminated: 11/29/2017  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Donna Curling**  
*an individual*

represented by **Edward Bruce Schwartz**  
Steptoe & Johnson-DC  
1330 Connecticut Avenue, N.W.  
Washington, DC 20036-1795  
202-429-6220  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joe Robert Caldwell , Jr.**  
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202-429-6455  
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*LEAD ATTORNEY*  
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**Aaron Wright**  
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*TERMINATED: 12/21/2017*

**Bryan Myerson Ward**  
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**Marvin Lim**

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Atlanta, GA 30326

404-601-2803

Fax: .

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*TERMINATED: 12/21/2017*

**Plaintiff**

**Coalition for Good Governance**

*a non-profit corporation organized and  
existing under Colorado Law*

represented by **Robert Alexander McGuire , III**

Robert McGuire Law Firm

Suite C-7

2703 Jahn Ave., N.W.

Gig Harbor, WA 98335

844-318-6730

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Aaron Wright**

(See above for address)

*TERMINATED: 12/21/2017*

**Bryan Myerson Ward**

(See above for address)

*TERMINATED: 12/21/2017*

**Edward Bruce Schwartz**

(See above for address)

*TERMINATED: 11/29/2017*

**Joe Robert Caldwell , Jr.**

(See above for address)

*TERMINATED: 11/29/2017*

**Marvin Lim**

(See above for address)

*TERMINATED: 12/21/2017*

**William Brent Ney**

Ney Hoeffecker Peacock & Hayle LLC

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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Donna Price**  
*an Individual*

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(See above for address)  
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*ATTORNEY TO BE NOTICED*

**Joe Robert Caldwell , Jr.**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Aaron Wright**  
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*TERMINATED: 12/21/2017*

**Bryan Myerson Ward**  
(See above for address)  
*TERMINATED: 12/21/2017*

**Marvin Lim**  
(See above for address)  
*TERMINATED: 12/21/2017*

**Plaintiff**

**Jeffrey Schoenberg**  
*an individual*

represented by **Edward Bruce Schwartz**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joe Robert Caldwell , Jr.**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Aaron Wright**  
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*TERMINATED: 12/21/2017*

**Bryan Myerson Ward**  
(See above for address)  
*TERMINATED: 12/21/2017*

**Marvin Lim**

(See above for address)

*TERMINATED: 12/21/2017*

**Plaintiff**

**Laura Digges**  
*an individual*

represented by **Edward Bruce Schwartz**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joe Robert Caldwell , Jr.**  
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*ATTORNEY TO BE NOTICED*

**Aaron Wright**  
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*TERMINATED: 12/21/2017*

**Bryan Myerson Ward**  
(See above for address)  
*TERMINATED: 12/21/2017*

**Marvin Lim**  
(See above for address)  
*TERMINATED: 12/21/2017*

**Plaintiff**

**William Digges, III**  
*an Individual*

represented by **Edward Bruce Schwartz**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joe Robert Caldwell , Jr.**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Aaron Wright**  
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*TERMINATED: 12/21/2017*

**Bryan Myerson Ward**  
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*TERMINATED: 12/21/2017*

**Marvin Lim**  
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*TERMINATED: 12/21/2017*

**Plaintiff**

**Ricardo Davis**  
*an individual*

represented by **Edward Bruce Schwartz**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joe Robert Caldwell , Jr.**  
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**Aaron Wright**  
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*TERMINATED: 12/21/2017*

**Bryan Myerson Ward**  
(See above for address)  
*TERMINATED: 12/21/2017*

**Marvin Lim**  
(See above for address)  
*TERMINATED: 12/21/2017*

**Plaintiff**

**Edward Curtis Terry**

represented by **Edward Curtis Terry**  
PRO SE

**Bryan Myerson Ward**  
(See above for address)  
*TERMINATED: 12/21/2017*

**Marvin Lim**  
(See above for address)  
*TERMINATED: 12/21/2017*

V.

**Defendant**

**Brian P. Kemp**  
*in his individual capacity and his*  
*official capacity as Secretary of State of*  
*Georgia and Chair of the State Election*  
*Board*

represented by **John Frank Salter , Jr.**  
The Barnes Law Group, LLC  
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**Cristina Correia**

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*TERMINATED: 11/03/2017*

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*TERMINATED: 11/03/2017*

**Josiah Benjamin Heidt**

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*TERMINATED: 11/03/2017*

**Defendant****David J. Worley**

represented by **John Frank Salter , Jr.**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Roy E. Barnes**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cristina Correia**

(See above for address)

*TERMINATED: 11/03/2017*

**Elizabeth Ahern Monyak**

(See above for address)

*TERMINATED: 11/03/2017*

**Josiah Benjamin Heidt**

(See above for address)

*TERMINATED: 11/03/2017*

**Defendant**

**Rebecca N. Sullivan**

represented by **John Frank Salter , Jr.**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Roy E. Barnes**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Cristina Correia**

(See above for address)

*TERMINATED: 11/03/2017*

**Elizabeth Ahern Monyak**

(See above for address)

*TERMINATED: 11/03/2017*

**Josiah Benjamin Heidt**

(See above for address)

*TERMINATED: 11/03/2017*

**Defendant**

**Ralph F. (Rusty) Simpson**

represented by **John Frank Salter , Jr.**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Roy E. Barnes**

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*ATTORNEY TO BE NOTICED*

**Cristina Correia**

(See above for address)

*TERMINATED: 11/03/2017*

**Elizabeth Ahern Monyak**  
(See above for address)  
*TERMINATED: 11/03/2017*

**Josiah Benjamin Heidt**  
(See above for address)  
*TERMINATED: 11/03/2017*

**Defendant**

**Seth Harp**  
*in their individual capacities and their  
official capacities as members of the  
State Election Board*

represented by **John Frank Salter , Jr.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Roy E. Barnes**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cristina Correia**  
(See above for address)  
*TERMINATED: 11/03/2017*

**Elizabeth Ahern Monyak**  
(See above for address)  
*TERMINATED: 11/03/2017*

**Josiah Benjamin Heidt**  
(See above for address)  
*TERMINATED: 11/03/2017*

**Defendant**

**The State Election Board**

represented by **Roy E. Barnes**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cristina Correia**  
(See above for address)  
*TERMINATED: 11/03/2017*

**Elizabeth Ahern Monyak**  
(See above for address)  
*TERMINATED: 11/03/2017*

**Josiah Benjamin Heidt**  
(See above for address)  
*TERMINATED: 11/03/2017*

**Defendant****Richard Barron**

*in his individual capacity and his  
official capacity as Director of the  
Fulton County Board of Registration  
and Elections*

represented by **Cheryl Ringer**

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**Kaye Woodard Burwell**

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*ATTORNEY TO BE NOTICED*

**Defendant****Mary Carole Cooney**represented by **Cheryl Ringer**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David R. Lowman**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kaye Woodard Burwell**



(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Vernetta Nuriddin**

represented by **Cheryl Ringer**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David R. Lowman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kaye Woodard Burwell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**David J. Burge**

represented by **Bryan Myerson Ward**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cheryl Ringer**  
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*ATTORNEY TO BE NOTICED*

**David R. Lowman**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kaye Woodard Burwell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Stan Matarazzo**

*TERMINATED: 09/15/2017*

represented by **Cheryl Ringer**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David R. Lowman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kaye Woodard Burwell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Aaron Johnson**  
*in their individual capacities and  
official capacities as members of the  
Fulton County Board of Registration  
and Elections*

represented by **Cheryl Ringer**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David R. Lowman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kaye Woodard Burwell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**The Fulton County Board of  
Registration and Elections**

represented by **Cheryl Ringer**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David R. Lowman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kaye Woodard Burwell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Maxine Daniels**  
*in her individual capacity and her  
official capacity as Director of Voter  
Registrations and Elections for Dekalb  
County*

represented by **Bennett Davis Bryan**  
DeKalb County District Attorney's  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Michael P. Coveny**

represented by

**Bennett Davis Bryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Anthony Lewis**

represented by **Bennett Davis Bryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Leona Perry**

represented by **Bennett Davis Bryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Samuel E. Tillman**

represented by **Bennett Davis Bryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Baoky N. Vu**

*in their individual capacities and  
official capacities as members of the  
DeKalb County Board of Registrations  
and Elections*

represented by **Bennett Davis Bryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**The DeKalb County Board of  
Registrations and Elections**

represented by **Bennett Davis Bryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Janine Eveler**

*in her individual capacity and her  
official capacity as Director of the  
Cobb County Board of Elections and  
Registration*

represented by **Daniel Walter White**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Phil Daniell**

represented by **Daniel Walter White**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Fred Aiken**

represented by

**Daniel Walter White**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Joe Pettit**

represented by **Daniel Walter White**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jessica Brooks**

represented by **Daniel Walter White**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Darryl O. Wilson**

*in their individual capacities and  
official capacities as members of the  
Cobb County Board of Elections and  
Registration*

represented by **Daniel Walter White**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**The Cobb County Board of Elections  
and Registration**

represented by **Daniel Walter White**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Merle King**

*in his individual capacity and his  
official capacity as Executive Director  
of the Center for Election Systems at  
Kennesaw State University*

represented by **Grant Edward Schnell**  
Holland & Knight LLP -Atl  
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*LEAD ATTORNEY*  
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**Robert S. Highsmith**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cristina Correia**

(See above for address)

*TERMINATED: 11/03/2017*

**Josiah Benjamin Heidt**

(See above for address)

*TERMINATED: 11/03/2017*

**Defendant**

**The Center for Election Systems at  
Kennasaw State University**

represented by **Cristina Correia**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Josiah Benjamin Heidt**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Defendant**

**Mark Wingate**

represented by **David R. Lowman**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Kaye Woodard Burwell**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Karen C. Handel**

*TERMINATED: 09/28/2017*

represented by **Anne Ware Lewis**

Strickland Brockington Lewis, LLP

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*ATTORNEY TO BE NOTICED*

**Barclay Hendrix**

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*ATTORNEY TO BE NOTICED*

**Frank B. Strickland**

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*ATTORNEY TO BE NOTICED*

**Defendant****State of Election Board**

represented by **John Frank Salter , Jr.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Roy E. Barnes**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cristina Correia**

(See above for address)  
*TERMINATED: 11/03/2017*

**Josiah Benjamin Heidt**

(See above for address)  
*TERMINATED: 11/03/2017*

**unknown**

**Thomas Jonathan Ossoff**  
*TERMINATED: 09/28/2017*

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